
**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

TATUYOU, LLC,

Plaintiff,

vs.

SANIDERM MEDICAL, LLC,

Defendant.

SCHEDULING ORDER

Case No. 2:19-cv-633

Judge Clark Waddoups

Pursuant to Fed. R. Civ. P. 16(b), the court received the Attorney Planning Meeting Report filed by counsel. The following matters are scheduled. The times and deadlines set forth herein may not be modified without the approval of the court and on a showing of good cause pursuant to Fed. R. Civ. P. 6.

****ALL TIMES 12:00 AM UNLESS INDICATED****

1. PRELIMINARY MATTERS

DATE

Nature of claims and any affirmative defenses:

Design Patent
Infringement;
invalidity

a. Date the Rule 26(f)(1) conference was held?

3/2/2020

b. Have the parties submitted the Attorney Planning Meeting Report?

3/3/2020

c. Deadline for 26(a)(1) initial disclosures?

2/21/2020

2. DISCOVERY LIMITATIONS

NUMBER

a. Maximum number of depositions by Plaintiff(s):

7

b. Maximum number of depositions by Defendant(s):

7

c. Maximum number of hours for each deposition (unless extended by agreement of parties):

7

d. Maximum interrogatories by any party to any party:

25

- | | | |
|-----------|---|---------------------------------|
| e. | Maximum requests for admissions by any party to any party: | <u>50 non-authentication</u> |
| | | <u>Unlimited authentication</u> |
| f. | Maximum requests for production by any party to any party: | <u>50</u> |
| g. | The parties shall handle a claim of privilege or protection as trial preparation material asserted after production as follows: <i>Include provisions of agreement to obtain the benefit of Fed. R. Evid. 502(d).</i> | |
| h. | Last day to serve written discovery: | <u>8/10/2020</u> |
| i. | Close of fact discovery: | <u>9/24/2020</u> |
| 3. | AMENDMENT OF PLEADINGS/ADDING PARTIES¹ | DATE |
| a. | Last day to file Motion to Amend Pleadings: | <u>6/19/2020</u> |
| b. | Last day to file Motion to Add Parties: | <u>6/19/2020</u> |
| 4. | RULE 26(a)(2) EXPERT DISCLOSURES & REPORTS | DATE |
| | Disclosures (subject and identity of experts) | |
| a. | Party(ies) bearing burden of proof: | <u>10/26/2020</u> |
| b. | Counter disclosures: | <u>12/1/2020</u> |
| | Reports | |
| a. | Party(ies) bearing burden of proof: | <u>10/26/2020</u> |
| b. | Counter reports: | <u>12/1/2020</u> |
| 5. | OTHER DEADLINES | DATE |
| a. | Last day for expert discovery: | <u>1/5/2021</u> |
| b. | Deadline for filing dispositive or potentially dispositive motions: | <u>2/2/2021</u> |

¹ Counsel must still comply with the requirements of Fed. R. Civ. P. 15(a).

- c. Deadline for filing partial or complete motions to exclude expert testimony: 2/2/2021
- d. If the parties do not file dispositive or potentially dispositive motions, a Status Conference will be held for purposes of setting a trial date on: 3/4/2021 at 3:00 p.m.

6. SETTLEMENT/ALTERNATIVE DISPUTE RESOLUTION DATE

- a. Likely to request referral to a magistrate judge for settlement conference: No
- b. Likely to request referral to court-annexed arbitration: No
- c. Likely to request referral to court-annexed mediation: No
- d. Evaluate case for settlement/ADR on: 11/2/2020
- e. Settlement probability: Fair

7. TRIAL AND PREPARATION FOR TRIAL

The court will set a time for trial after the conclusion of dispositive motions, or if no dispositive motions are filed, at the Status Conference set in paragraph 5.d. above. If the schedule set forth herein is not extended, the parties can generally expect that trial will be set sometime during the 3rd quarter of 2021.

8. OTHER MATTERS

Parties should fully brief all Motions in Limine well in advance of the pretrial conference.

Entered this 3rd day of March, 2020.

BY THE COURT:



Clark Waddoups
District Court Judge